

419

CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 21, 1995  
7:00 P.M.

1. ROLL CALL

Present: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Public Works Director Ronsko, Interim City Attorney Stovall and Acting City Clerk Taylor

2. INVOCATION

The invocation was given by Assistant City Manager Jerry L. Glenn.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Mann presented a proclamation to Mr. Ken Owen proclaiming June 26 - 30, 1995 as "Rebuilding America Week" in the City of Lodi. Pastor Duncan informed Council that the public was invited to attend five free consecutive evening presentations to be held at the Grape Festival grounds, with guest speakers relating the importance of family, faith and government working together toward a better, more peaceful future.
- b) Mayor Mann presented a proclamation to Mr. Ed Wall, Chairman of the Parks and Recreation Commission, proclaiming July, 1995 as "Parks and Recreation Month" in the City of Lodi. Parks and Recreation Director Williamson commented on the major activities and programs scheduled for the summer months including the Oooh Ahhh Festival, baseball and soccer tournaments, teen trips, swim meets, and the Concerts in the Park series. Further, Mr. Williamson thanked the Council, City Manager, City staff, volunteers, and local organizations who assist in presenting these successful programs.  
FILE NO. CC-40
- c) Mayor Mann presented a proclamation to Leonard Harrington of the Lodi Events Committee proclaiming July 4, 1995 as "Oooh Ahhh Day at Lodi Lake". Mr. Harrington informed Council of the many activities of the day, including a water ski show, sand sculpting, karate show, kids activities, plus a western band "The Rangers" and the traditional fireworks presentation at 9:15 p.m. General admission prices are: \$4, seniors and 18 and under \$2, picnic baskets allowed, no alcoholic beverages or pets allowed.  
FILE NO. CC-40
- d) Mayor Mann presented a proclamation to Mr. Bo Katzakian proclaiming July, 1995 as "Habitat for Humanity Month" in the City of Lodi. Representatives from the organization were also present. Mr. Katzakian explained the project was a joint effort made possible through Council's allocation of CDBG funds, General Mill's donation of \$50,000, and the many Lodi professionals who are volunteering their time and skills toward this organization's first groundbreaking in Lodi. Mr. Katzakian presented Council and the City Manager with hats and hammers and encouraged continued participation in the program.  
FILE NO. CC-55

- e) Paula Soto, Director of the Lodi Community Service Center, commended the postmaster and all postal carriers who participated in the second annual "Food Drive" held on May 13, 1995. Ms. Soto presented the postmaster and Food Drive Committee members with a plaque and a community thank you card which was signed by recipients of the food, which was distributed through the Community Service Center for distribution. Ms. Soto also thanked the many Lodi residents who generously donated the collected foods.

5. PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS

- 1. John Donadi, 1217 Edgewood Drive, Lodi, spoke in opposition to Item #E-3, stating he would like to see support of AB 318 to provide citizens who must use City utilities an opportunity to decide where profits are spent vs. transfers to the General Fund.

6. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pennino, Warner second, approved the following items hereinafter set forth **except those otherwise noted:**

- a) Claims were approved in the amount of \$1,285,449.22.  
FILE NO. CC-21(a)
- b) The Minutes of June 7, 1995 (Regular Meeting) were approved as written.
- c) Agenda Item #E-3 entitled, "Resolution Stating Opposition to State Assembly Bill AB 318" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport)
- d) Adopted Resolution No. 95-78 authorizing purchase of three automatic defibrillators, with accessories, utilizing a purchase agreement between the County of Los Angeles and Physio-Control Corporation of Redmond, Washington, in the amount of \$27,760.32.  
FILE NO. CC-21(a), CC-112 and CC-300
- e) Authorized the advertisement for bids for 48 Model 1010 fiberglass reinforced helmets with face shield, manufactured by Cairns & Brother, Inc., Clifton, New Jersey.  
FILE NO. CC-112
- f) Approved the specifications for Type II Slurry Seal for Various City Streets, 1995, and authorized advertising for bids.  
FILE NO. CC-12.1(c) and CC-45(a)
- g) Adopted Resolution No. 95-79 awarding the contract for Sacramento Street - Street Reconstruction, Park Street to Vine Street to A. M. Stephens Construction in the amount of \$108,478.  
FILE NO. CC-12(a), CC-45(a), CC-90 and CC-300
- h) Adopted Resolution No. 95-80 authorizing purchase of a 1994 Articulating Wheel Loader for the Street Division of the Public Works Department from Reed Equipment Co., Stockton, in the amount of \$69,440.  
FILE NO. CC-20, CC-47, CC-158 and CC-300
- i) Adopted Resolution No. 95-81 accepting the development improvements for Century Meadows Two, Unit No. 1, Tract No. 2571.  
FILE NO. CC-46 and CC-300

- j) Concurred with Public Works staff recommendation to continue receiving janitorial services from Korean Building Maintenance on a month-to-month billing basis until the City Hall remodel has been completed and the trailers removed. The re-bid process will be initiated at that time based on current properties and square footage, allowing janitorial firms the opportunity to provide accurate bids.  
FILE NO. CC-90 and CC-112
- k) Waived Business License Tax fees, in part, for vendors who do not have a City of Lodi Business License and who will participate in the "Oooh Ahhh Festival" at Lodi Lake on July 4, 1995, instead imposing a fee of \$3.75 to be charged per vendor per day.  
FILE NO. CC-65, CC-132 and CC-177

7. ITEMS PULLED FROM THE CONSENT CALENDAR

- a) Council, on motion of Council Member Sieglock, Warner second, adopted Resolution No. 95-77 expressing opposition to Assembly Bill 318, which would restrict the ability of cities to transfer revenue from their electric and water utilities to the City's General Fund, by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)  
Noes: Council Members - Davenport  
Absent: Council Members - None

FILE NO. CC-7(f) and CC-300

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8. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mann called for the Public Hearing to consider weed abatement proceedings.

Hearing Opened to the Public

- 1. None.

Public Portion of Hearing Closed

ACTION:

City Council, on motion of Sieglock, Warner second, unanimously adopted Resolution No. 95-82 overruling objections and determining to proceed with weed abatement.  
FILE NO. CC-27(a), CC-112, CC-158 and CC-300

9. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City Attorney and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Sieglock, Warner second, rejected the following claim:

- 1. Deborah L. Craig, date of loss 01/05/95

422

June 21, 1995 Continued

- b) The claim regarding R.H. & Associates (date of loss 09/24/94) was pulled from staff for further consideration regarding possible settlement.  
FILE NO. CC-4(c)
- c) Council, on motion of Council Member Sieglock, Warner second, unanimously made the following reappointments/appointments to various boards and commissions:

***Advisory Board 49-99 Library Systems***

Pat DeSelms                      term to expire July 1, 1997

***Library Board***

Carol Farron                      term to expire June 30, 1998  
Robin Knowlton                      term to expire June 30, 1998

***Planning Commission***

Dorean Rice                      term to expire June 30, 1999  
Roger Stafford                      term to expire June 30, 1999

***Arts Commission***

Tim Mattheis                      term to expire July 1, 1998

Speaking on this matter were the following:

1. Leonard Lachendro, Lodi, voiced concern that the Library Board appointments were covered in the Stockton newspaper, but the Lodi News Sentinel neglected to print a word, and expressed concern over Mr. Mann's comments in the article.

FILE NO. CC-2(d), CC-2(g) and CC-2(k)

- c) Council, on motion of Council Member Sieglock, Mann second, unanimously made the following representative appointment:

***Northern California Power Agency***

David P. Warner

FILE NO. CC-6 and CC-11(d)

- d) Virginia Snyder of the East Side Improvement Committee, informed Council of ESIC's intent to create an American Bungalow Association, and provided Council with information regarding American Bungalows in Lodi, as well as across the nation. Ms. Snyder encouraged Council to support this next step in drawing interest and pride in the many bungalow-style homes located in Lodi, and to help draw attention toward renovation of the homes and pride in ownership, announcing the first Association meeting will be held Wednesday, July 12, 1995 at 7:00 p.m. at the Lodi Library.  
FILE NO. CC-2(s)

June 21, 1995 Continued

- e) City Clerk Taylor reported the City received a Notice of Application from SuperShuttle of San Francisco, Inc. to California Public Utilities Commission (CPUC) for authority to provide on-call, door-to-door passenger stage service between Sacramento Metro Airport and places in the Counties of Sacramento, Yuba, Nevada, Sutter, Butte, Placer, El Dorado, San Joaquin, Yolo and Solano.  
FILE NO. CC-50(b)

# 10. REGULAR CALENDAR

- a) Council, on motion of Council Member Pennino, Sieglock second, ratified the 1995/96 and 1996/97 San Joaquin County Council of Government's (COG) Annual Financial Plan, pursuant to the Joint Powers Agreement, by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)  
Noes: Council Members - Davenport  
Absent: Council Members - None

1. Mr. Steve Dial, representing the San Joaquin County Council of Governments spoke in favor of Council's approval and answered Council's specific questions.

FILE NO. CC-7(n) and CC-11(b)

- b) Council, on motion of Council Member Warner, Davenport second, adopted Resolution No. 95-83 in support of legislation for enactment of a transactions and use tax for library purposes (with the removal of paragraphs 6-8, page 1) and further, adopted Resolution No. 95-84 in support of a ballot measure to increase the sales tax rate in San Joaquin County and election cost sharing plan to supplement existing funding for the Lodi Public Library, by the following vote:

Ayes: Council Members - Davenport, Pennino and Warner and Mann (Mayor)  
Noes: Council Members - Sieglock  
Absent: Council Members - None

Speaking on the matter were the following:

1. Dave Duncan, Lodi Library Board of Trustees, spoke in favor of Council approval of Resolution No. 95-83 and Resolution No. 95-84.
2. Colleen Foster, Director of Library Services for the Stockton/San Joaquin County Library, spoke in favor of Council approval of Resolution No. 95-83 and Resolution No. 95-84.
3. Leonard Lachendro, Lodi, spoke in favor of Council approval of Resolution No. 95-83 and Resolution No. 95-84.
4. Don Shepherd, 215 South California Street, Lodi, President of the Friends of the Lodi Library, congratulated Council on two good appointments to the Library Board, and spoke in favor of Council approval of Resolution No. 95-83 and Resolution No. 95-84.

FILE NO. CC-18, CC-29, CC-177 and CC-300

424

June 21, 1995 Continued

11. RECESS

Mayor Mann declared a ten minute recess and the City Council meeting reconvened at approximately 9:07 p.m.

12. REGULAR CALENDAR (Continued)

- a) Council, on motion of Council Member Pennino, Warner second, approved the agreement with the Lodi Chamber of Commerce toward the formation and financial support of a Lodi Conference and Visitors Bureau, by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock, Warner  
and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Speaking in support of the matter were the following:

1. Jim Schweickardt, representing the Lodi Chamber of Commerce
2. Mary Bagnell, 1140 South Cherokee Lane, Manager of the Lodi Motor Inn
3. Virginia Snyder, P.O. Box 2444, Lodi  
FILE NO. CC-6, CC-7(k), CC-21(a) and CC-90

- b) Council directed staff to provide Council with copies of sample city charters for review, and asked that the Charter City topic be brought before Council at a future shirtsleeve session for more extensive discussion.  
FILE NO. CC-6 and CC-74

- c) Council, on motion of Council Member Pennino, Warner second, adopted Resolution No. 95-85 approving the 1995-96 Financial Plan and Budget as amended, and appropriating the 1995-96 operating and capital budgets, with the exception of electric wheeling charges, by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - None

- d) Council, on motion of Council Member Sieglock, Warner second, approved the 1995-96 Financial Plan and Budget with regard to the electric wheeling charges, by the following vote:

Ayes: Council Members - Davenport, Sieglock, Warner and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Pennino

Speaking on the matter were the following:

1. Virginia Lahr, 311 East Elm Street, spoke in favor of the Code Enforcement Officer position and would support a great percentage of the position be dedicated to Building Code Enforcement inspection process regarding violations.

FILE NO. CC-6, CC-15, CC-21(b) and CC-300

- e) Council, on motion of Council Member Sieglock, Warner second, directed staff to compose a letter of opposition for the Mayor's signature to be sent to the U.S. Fish and Wildlife Service regarding their recommendation to remove Woodbridge Dam, with copies of the letter routed to Assemblyman Bowler and Senator Johnston; and further directed staff to invite U.S. Fish and Wildlife Service representatives to participate in a public hearing in the City of Lodi, by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock, Warner  
and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Speaking in support of a letter of opposition from the Council were the following:

1. Bob Johnson, representing Lodi Parks and Recreation Commission.
2. Mary Miller, 710 Willow Glen Drive, Lodi.
3. Jerry Adams, representing Rivergate/Mokelumne Homeowners Association
4. Carrie Brown, Lodi District Chamber and Government Review Committee.
5. John Donadi, 1217 Edgewood Drive, representing the Willow Glen Property Owners Association.

FILE NO. CC-7(d) and CC-27(c)

- f) Council, on motion of Council Member Pennino, Warner second, authorized the purchase of a 9337 disk subsystem for the City's AS 400 computer system, by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - None

FILE NO. CC-21(a) and CC-47

13. ORDINANCES

None.

14. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Julie Anna Cooke, 1709 South Stockton, a paramedic representing the American Heart Association, thanked for Thursday's "Code Blue" fundraising event. A mock unit was set up for the treatment of simulated heart attacks. Ms. Cooke thanked the many participants, among them Mayor Mann, Steve Raddigan (Fire Department), Dr. Sam Swofford (Lodi Unified School District), Del Heintz (King Videocable), Mike Reese (Parks & Recreation), and several others from Lodi Fire Department, Air Med of Modesto and American Medical Response, who donated their time toward this effort.

426

June 21, 1995 Continued

15. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Council Member Davenport thanked everyone for coming to the meeting and commented on the following: 1) reminded everyone to be ever mindful of gangs; 2) commented on the Council passing an aggressive budget this evening, and encouraged citizens to review the available copy at the Library as the money and decisions concern the community 3) commended the Neighborhood Watch and Code Enforcement Officer on jobs well done; and 4) requested staff put together all major policies in one single resource book to be placed in the library and various departments so citizens and department personnel are better informed about the City.
- b) Council Member Sieglock commented on the accumulation of cars being marked for sale and left at Sylvan Lane, Highway 12/Kettleman Lane, and voiced concern that this situation may cause a safety and traffic hazard with car shoppers stopping in the street to view the vehicles. Mr. Sieglock requested staff look into contacting property owners in the area regarding this issue, and return to Council with possible solutions.
- c) Council Member Pennino stated that Lodi citizens have voiced their support of revitalization. At the last Planning Commission meeting, two items scheduled for discussion were the Geweke and McIntosh/Snider properties, which were pulled by their representatives so as not to hinder the revitalization project. Mr. Pennino conveyed his appreciation to them for their decision to withdraw their request at this time.

16. CLOSED SESSION

- a) Labor Relations: United Firefighters of Lodi (UFL), San Joaquin Public Employees Association (SJPEA) for General Services and Maintenance and Operators, Lodi Police Dispatchers Association (LPDA) and Confidential Employees  
*Negotiator: Assistant City Manager Jerry L. Glenn*
- b) Pending Litigation - City of Lodi v. Central California Traction
- c) Pending Litigation - Romero v. City of Lodi
- d) Pending Litigation - City of Lodi v. Designer Professionals Insurance Company et al.

17. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

Labor Relations: United Firefighters of Lodi (UFL), San Joaquin Public Employees Association (SJPEA) for General Services and Maintenance and Operators, Lodi Police Dispatchers Association (LPDA) and Confidential Employees

No final action was taken on this matter.

Pending Litigation - City of Lodi v. Central California Traction

No final action was taken on this matter.

Pending Litigation - Romero v. City of Lodi

No discussion was necessary regarding this matter.



427

*June 21, 1995 Continued*

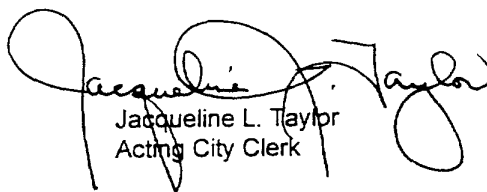
Pending Litigation - City of Lodi v. Designer Professionals Insurance Company et al.

No final action was taken on this matter.

18. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 11:55 p.m.

ATTEST:

  
Jacqueline L. Taylor  
Acting City Clerk